

# Notice of Allowability

Application No.

10/699,138

Examiner

Timothy J. Kugel

Applicant(s)

DO ET AL.

Art Unit

1712

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment after final rejection filed 14 March 2007.
2. ☒ The allowed claim(s) is/are 1 and 3-6.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### **DETAILED ACTION**

1. Claims 1 and 3-6 are pending as amended on 14 March 2007, claim 2 being cancelled.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

### ***Response to Amendment***

3. The declaration of Min-Su Kim under 37 CFR 1.132 filed 14 March 2007, attesting that Min-Su Kim is an inventor only of the subject matter of instant claims 4, 5 and 6, along with the declarations of Jung Yun Do, Seung Koo Park, Jung Jin Ju, Suntak Park and Myung Hyun Lee under 37 CFR 1.132 filed 30 October 2006, each attesting that Sung-Min Ma, listed as a co-author of Synthesis and Optical properties, Photonics Conference 2002, October 30-November 1 2002, 497-498 (Do 2002 hereinafter), was merely working under or at the direction of one or more of the other listed authors, have been fully considered and are sufficient to disqualify Do 2002 as prior art under 35 USC 102(a). Since the authors of Do 2002 are the same as the inventors of instant claims 1 and 3, Do 2002 is not "by others" and therefore does not qualify as prior art under 35 USC 102(a).

The rejection of claims 1 and 3 under 35 U.S.C. §102(a) as being anticipated by Do 2002 has been withdrawn.

***Allowable Subject Matter***

4. Claims 1, 3 and 4-6 are allowed.

The following is an examiner's statement of reasons for allowance: US Patent 6,252,025 (Wang '025 hereinafter) teaches a nonlinear optical material comprising a dendridic polymer with multiple active end groups including chromophores and non-chromophores including phenyl and alkyl groups, and Tomalia et al. "Dendridic macromolecules" in AccessScience@McGraw-Hill, <http://www.accessscience.com>, DOI 10.1036/1097-8542.YB980185, April 10, 2000 (Tomalia hereinafter) shows that dendrimers are three-dimensional in architecture, but neither teaches or fairly suggests the dendridic polymers of the structures of claim 1 Formulas 21, 23, 28, 6, 12, 16, 29, 8, 14, 18, 30, 25, 27 or 31.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy J. Kugel whose telephone number is (571) 272-1460. The examiner can normally be reached 6:00 AM – 4:30 PM Monday - Thursday.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Randy Gulakowski can be reached on (571) 272-1302. The fax phone

Art Unit: 1712

number for the organization where this application or proceeding is assigned is 571-273-8300.

6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TJK  
Art Unit 1712



RANDY GULAKOWSKI  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 1700